

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
NORMAN BOTTMAN
FLOR MARIA ALVARADO

DEBTOR (S)

CASE NO. 08-04790-ESL

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED POST CONFIRMATION PLAN MODIFICATION**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1329**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$44,201.00**

R2016 STM. \$3,500.00

TOTAL ATTORNEYS FEES THRU PLAN: \$0.00 Fees paid: \$0.00 Fees Outstanding: \$0.00
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With respect to the proposed (amended) Plan dated: **8/10/2010** (Dkt 29).

Plan Base: **93,920.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]

Plan base has an arithmetic failure correct base is \$8,800.00. Also the Trustee understands that the 60 month period to sell the property is unreasonable and constitutes an undue prejudice to unsecured creditors.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 23, 2010.

/s/ Jose R. Carrion

/s/ Juliel Perez -Staff Attorney

JOSE R. CARRION

CHAPTER 13 TRUSTEE

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